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Date: September 4, 2002

Total pages: 5

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To: Group 1600 Customer Service Center
U.S. Patent and Trademark Office

TECH CENTER 1600/2900

Fax: 703-746-9195

From: Mark J. Hyman, Reg. No. 46,789
(240) 314-1224

Re: Application Serial No. 09/765,272 (Atty. Docket No. PB340P2C2)

1. Request for Corrected Filing Receipt; and
2. Copy of Filing Receipt with correction noted thereon.

If you experience any difficulty receiving this transmission,
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VIA FAX (703 746-9195) TO
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CENTER SEPTEMBER 4, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Choi et al. Attorney Docket No.: PB340P2C2
Application Serial No.: 09/765,272 Art Unit: 1645
Filed: January 22, 2001 Examiner: Duffy, P.
Title: *Streptococcus pneumoniae* Antigens and Vaccines

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
Washington, D.C. 20231

Sir:


Applicants respectfully request a corrected Filing Receipt be issued in the above-listed application. In particular, Applicants note that the Official Filing Receipt mailed August 7, 2002, was correct in all particulars. Applicants further note that the Replacement Filing Receipt mailed August 22, 2002, incorrectly indicates receipt of a Request for Early Publication. Applicants, however, did not file a Request for Early Publication with the instant application. A copy of the Replacement Filing Receipt with the correction noted thereon is attached.

In support of the above request, Applicants include the PTO date-stamped postcard evidencing receipt of the application by the Patent and Trademark Office. The postcard itemizes each element of the instant application as filed. Applicants point out that said PTO date-stamped postcard does not list a Request for Early Publication as part of the application package. Applicants therefore request that a corrected Filing Receipt be issued and mailed to Applicants.

No fee is believed due for this submission. In the event that a fee is required in connection with this submission, please charge the required fee to Deposit Account No. 08-3425.

Respectfully submitted,

Dated: September 4, 2002


Mark J. Hyman (Reg. No. 46,789)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
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Enclosures
MJH/ba



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/765,272	01/22/2001	1645	968	PB340P2C2	0	21	6

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ROCKVILLE, MD 20850AUG 26 2002
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CONFIRMATION NO. 9690

REPLACEMENT FILING RECEIPT



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Date Mailed 08/22/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Gil H. Choi, Rockville, MD;
Charles A. Kunsch, Norcross, GA;
Steven C. Barash, Rockville, MD;
Patrick J. Dillon, Carlsbad, CA;
Brian Dougherty, Killingworth, CT;
Michael R. Fannon, Silver Spring, MD;
Craig A. Rosen, Laytonsville, MD;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 08/961,083 10/30/1997
WHICH CLAIMS BENEFIT OF 60/029,960 10/31/1996

Foreign Applications

If Required, Foreign Filing License Granted 08/07/2001

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: ~~Yes~~ No

Title

Streptococcus pneumoniae antigens and vaccines

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/765,272	01/22/2001	Gil H. Choi	PB340P2C2

CONFIRMATION NO. 9690

000022195
HUMAN GENOME SCIENCES INC
9410 KEY WEST AVENUE
ROCKVILLE, MD 20850



OC000000009067444

Date Mailed: 11/06/2002

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RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Publication and General Rules Issues

TECH CENTER 1600/2900

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The articles such as "a", "an", and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- ☐ The words "new", "improved", "improvement of", "improvement in", or "improvement relating to" are not included as the first words in the title of an application because a patent application is, by nature, a new idea or improvement. See MPEP 606.
- ☐ The title appears on the filing receipt in sentence case for publication in the Annual Index of Patents.
- ☐ Amendments are not accepted in provisional applications. See 37 CFR 1.53(c).
- ☐ An amendment or Application Data Sheet is needed to make this change.
- ☐ The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. (See MPEP 605.02.)
- ☐ Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☐ Small entity status was previously claimed in this application. To notify the Office of a loss of

☐ entitlement to small entity status, see 37 CFR 1.27(g). To have a good faith error in claiming small entity status excused, see 37 CFR 1.28(c).

☒ **The request for non-publication was not timely filed. A request for non-publication must be submitted upon filing of an application. The application is scheduled to be published on the date specified on the filing receipt. See 37 CFR 1.213(a)(1)**

☐ The request for non-publication has not been recognized because it is not conspicuous as required by 37 CFR 1.213(a)(2)

☐ The request for non-publication has not been recognized because it does not contain the certification as required by 37 CFR 1.213(a)(3).

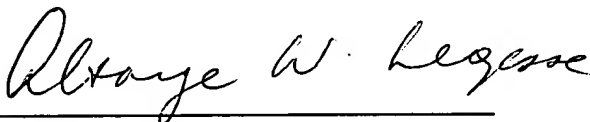
☐ The request for non-publication has not been recognized because it is not signed in compliance with 37 CFR 1.33(b) as required by 37 CFR 1.213(a)(4).

☐ There was no prior request for non-publication in this application. The request to rescind the non-publication request will not be processed.

☐ Your request for non-publication will not be acknowledged because this application is not eligible for publication. Only utility and plant applications filed on or after November 29, 2000 are eligible for publication.

☐ The "Non-Publication Request" indicator is correct. If there was a proper request submitted at the time of filing, the notation on the filing receipt will be "Yes". If no such request was made, the notation will be "No".

☐ Assignment information will only be included for applications that are eligible for publication.



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